

State of California
Natural Resources Agency
Department of Boating and Waterways



25TH BIENNIAL REPORT

FISCAL YEARS 2004-5 AND 2005-6

JULY 2009

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State of California

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**Department of Boating and Waterways
Biennial Report for Fiscal Years 2004-05 and 2005-06**

Pursuant to Section 63.6 of the Harbors and Navigation Code (HNC), the Department of Boating and Waterways (DBW) submits to the Boating and Waterways Commission, Legislature, and Governor its biennial report covering Fiscal Years 2004-05 and 2005-6. This section requires that the report contain specific information on private marina loans, berthing rates, personal watercraft safety, and general information on departmental operations during this biennium.

Private Marina Loans

HNC Section 63.6 requires that DBW report the following:

- The total amount of private marina loans made during this biennium
- The name of the recipient of each loan
- The location of the marina for which each loan was made
- The financial status of each loan
- Any legislative recommendations

During this biennium, DBW made a total of \$6 million in loans to private marina owners pursuant to Article 5 (commencing with Section 76) of Chapter 2 of Division 1 of the HNC. The table below contains the required information for each loan.

| PRIVATE MARINA LOANS FY 2004-05 & FY 2005-06 | | | |
|---|--|--------------------|-----------------------|
| NAME | LOCATION | LOAN AMOUNT | STATUS |
| Monterey Bay Boatworks | Breakwater Cove Marina (Monterey Bay) | \$900,000 | Current as of 6/30/06 |
| John and Elaine Caprio | Orwood Resort (Sacramento/San Joaquin Delta) | \$200,000 | Current as of 6/30/06 |
| Zack's, Inc. | Sausalito Marina (Sausalito Bay) | \$1,400,000 | Current as of 6/30/06 |
| Oxnard Marina LP | Oxnard Marina (Channel Islands) | \$1,125,000 | Current as of 6/30/06 |
| Pier 38 Maritime Recreation Center | Pier 38 (San Francisco Bay) | \$2,375,000 | Current as of 6/30/06 |

Berthing Rates

HNC Section 63.6 requires that DBW report the status of DBW's activities related to the monitoring of berthing rates at boating facilities for which DBW has made loans to public and private entities.

Under current policy, DBW collects information about berthing rates at boating facilities that receive loans pursuant to HNC Section 71.4 and Section 76.7(d). Prior to loan approval, applicants must provide berthing rate information to DBW as part of the loan qualification process. Per the loan contract terms, borrowers are required to adjust berthing rates as necessary, but not less than once a year, based on the change in the US Bureau of Labor Statistics' Consumer Price Index. The loan contract also requires that borrowers conduct surveys of berthing rates in their market area and submit the results of such surveys to DBW by April 1 of each year. Berthing rates must be sufficient to assure timely and complete repayment of the loan, but should also be comparable to berthing rates for the surrounding market area.

Personal Watercraft Safety

HNC Section 63.6 requires that DBW report an evaluation of the public participation in the personal watercraft education course developed by DBW pursuant to HNC Section 668.3(b), along with a determination of the effect of the course on personal watercraft safety in California.

This course was developed in cooperation with the California State Sheriff's Association in 2000. It was most recently updated in 2007. This course is available both in booklet form and online at <http://www.dbw.ca.gov/BoaterInfo/PWCOnline/07.rescue.html>. Both the booklet and the online exam are widely used by the public for self-education on the subject of personal watercraft (PWC) safety. PWC registration with the Department of Motor Vehicles has risen steadily since 1993. Reported personal watercraft accidents have been steadily declining since 2000, when AB 2045 (Nakano) was enacted, requiring development of this safety course for public use. DBW cannot make a direct correlation between the development and delivery of this safety course to the public and the decline in PWC accidents. However, the reduction in PWC accidents while registration numbers continue to rise is a positive sign of improvement in PWC safety.

Department Operations

HNC Section 63.6 requires that DBW report on the operations of the department during this biennium. The following is a recap of DBW's overall operations during this period.

Boating Facilities Programs. The table below describes the major functions of DBW's boating facilities programs.

| BOATING FACILITIES PROGRAMS | |
|--|--|
| PROGRAMS | FUNCTIONS |
| Loans to Local Public and Private Entities | Plan, design, renovate and construct small craft harbors, marinas, dry storage facilities, and fund emergency repairs |
| Grants to Local Public Entities | Plan, design, renovate, and construct launching ramps and facilities (such as boarding floats, restrooms, and parking areas) for motorized and non-motorized boats, ramp extensions for low water levels, ADA requirements, floating portable restrooms, sewage pumpout stations, navigational aids, portage trails, water trails and fund emergency repairs |
| Boating Facilities on State-Owned and Managed Lands (State Capital Outlay) | Plan, design, renovate, and construct small craft harbors, marinas, launching ramps and facilities for motorized and non-motorized boats, ramp extensions for low water levels, ADA requirements, boat-in only sites, boating education centers, and fund emergency repairs – includes State Parks and State Water Project facilities |
| Aquatic Centers on State-Owned and Managed Land (State Capital Outlay) | Plan, design, renovate, and construct Aquatic Center facilities used for classroom and on-the-water boating, kayaking, sailing, rowing and boating safety training |
| Design Guidelines | Develop nationally recognized design guidelines for boat launch facilities and marinas |

During this biennium:

- Construction loans made to 5 private marina owners totaled \$6,000,000.
- Small craft harbor loans made to 6 public entities totaled \$38,625,000.
- Boating facilities grants made to 16 public entities totaled \$18,669,400.
- Capital Outlay expenditures for 26 projects totaled \$9,659,600.
- Boating Trails grants made for 14 projects totaled \$824,851.
- Clean Vessel Act grants for vessel pumpout facilities totaled \$3,500,000.

Boating Law Enforcement Programs. The table below describes the major functions of DBW's boating law enforcement programs.

| BOATING LAW ENFORCEMENT PROGRAMS | |
|----------------------------------|---|
| PROGRAMS | FUNCTIONS |
| Grants to Local Public Entities | Fund personnel for law enforcement; inspections for safety equipment, registration, sanitation and pollution control; supervision of organized boating events; on-the-water search and rescue boating activities; recovery of drowned bodies |
| Grants to Local Public Entities | Fund purchase of patrol boats, marine patrol equipment and training |
| Law Enforcement Training | Provide training—Boating Safety and Enforcement, Boating Under the Influence, Basic Boat Handling, Basic Accident Investigation and Reconstruction, Introduction to Personal Watercraft for Law Enforcement, Piloting and Navigation, Marine Fires, and Advanced Accident Investigation and Reconstruction, and Core Training Certification |

During this biennium:

- Law enforcement grants to 36 local public entities totaled \$16.2 million.
- Equipment grants to 46 local public entities totaled \$1.5 million.
- Training of 643 boating law enforcement officers totaled \$200,000.

Boating Operations Programs. The table below describes the major functions of DBW's boating operations programs.

| BOATING OPERATIONS PROGRAMS | |
|---------------------------------|---|
| PROGRAMS | FUNCTIONS |
| Grants to Local Public Entities | Fund removal, storage and disposal of abandoned recreational vessels and other navigational hazards |
| Yacht and Ship | License and regulate yacht brokers and salespersons |

For-Hire

License and regulate vessel for-hire operators

During this biennium:

- Abandoned watercraft abatement grants to 15 local public entities totaled \$810,000.
- DBW regulated 383 licensed yacht and ship brokers, 27 associate brokers, 892 salespersons and 80 branch offices and received \$225,201 in fees, fines and civil penalties.
- DBW regulated 487 licensed for-hire operators.

Safety and Education Programs. The table below describes the major functions of DBW's safety and education programs.

| BOATING SAFETY AND EDUCATION PROGRAMS | |
|---|--|
| PROGRAMS | FUNCTIONS |
| If It's Your Boat, It's Your Responsibility | Carry out multimedia campaign to raise boaters' awareness of safety concerns and reduce accidents |
| Life Jackets (Wear It California Campaign) | Increase use of life jackets in the Sacramento-San Joaquin Delta through media and education outreach |
| Life Jacket Trade In | Inspect and replace damaged and outgrown life jackets |
| AquaSMART | Develop and supply boating safety curricula for grades K-12 |
| Grants to Universities, Colleges, Local Public and Nonprofit Entities | Fund classroom and on-the-water safety education, including in kayaking, canoeing, sailing, water skiing, power boating, and personal watercraft |
| Boating Safety Courses | Review, approve and provide California boating safety courses |
| Colorado River Tri-State Partnership | Inform boaters of California, Arizona and Nevada boating safety laws that apply on the Colorado River; participate in annual event |
| Boating Accident Statistics | Collect and analyze boating accident reports; develop safety strategies, make recommendations |
| Boating Publications | Produce and distribute information on safety, equipment, laws, boating trail and waterway maps and clean boating |

| | |
|-----------------------------|---|
| Clean Vessel Media Campaign | Perform statewide public outreach to educate boaters about proper sewage disposal and the use of pumpout facilities |
|-----------------------------|---|

During this biennium:

- DBW launched a new boating safety media campaign for the 2006 boating season called “If It’s Your Boat, It’s Your Responsibility”
- DBW continued public outreach to encourage boaters to use life jackets.
- DBW met its goal to create a statewide life jacket turn in program.
- The AquaSMART program served 160 schools statewide and reached approximately 100,000 school children.
- Aquatic Center grants for aquatic safety and education were awarded to 44 organizations and totaled \$1,438,000.
- DBW provided 50,000 copies of the California boating safety course to members of the public.
- DBW continued to help promote the Tri-State Boating Safety Fair in partnership with Arizona and Nevada, focusing on the Colorado River system.
- DBW collected, analyzed and published boating accident statistics on 1,545 reported accidents, representing 867 injuries, 102 fatalities and \$7,658,100 in property damage.
- DBW continued to produce and distribute a wide range of multi-media boating safety messages and publications.
- DBW began and completed an update of the *Boating Trail Guide to the American River Parkway* <http://dbw.ca.gov/Pubs/Ar/Parkway/index.htm>.
- DBW continued to produce and distribute pamphlets, flyers, radio public service announcements and pumpout location maps under the Clean Vessel media campaign.

Environmental Programs. The table below describes the major functions of DBW’s environmental programs.

| ENVIRONMENTAL PROGRAMS | |
|-----------------------------|--|
| PROGRAMS | FUNCTIONS |
| Quagga/Zebra Mussel Control | Produce and deliver information and workshops to help stop spread of Quagga/Zebra mussels and other aquatic invasive species |

| | |
|---|---|
| Aquatic Weed Control | Control Water Hyacinth and <i>Egeria densa</i> in the Delta as lead agency |
| Oceanography (Scripps Institution of Oceanography, SIO) | Fund coastal and estuarine oceanography monitoring and study projects to improve boating facility and beach erosion and restoration design, and boating and maritime safety and access; support climate change data collection and studies; DBW Ph.D. Oceanographer is stationed on-site at SIO |
| Coastal Data Information Program (CDIP) | Fund, in part, efforts to monitor, model, and forecast ocean swell and coastal wave heights using long-term data collection; information used by recreational boaters, commercial fishing and shipping industries, the military, and ocean enthusiasts; develop a beach-change forecasting model in the SCBPS |
| Southern California Beach Process Study (SCBPS) | Partner in comparing wave data with measured beach changes using LIDAR and GPS surveys to understand physics of beach accretion and erosion; predict effects of sea level rise on the California coastline and related infrastructure |
| Anti-Fouling Paint | Undertake study to determine the effects of copper bottom paints on species in the Shelter Island Boat Basin; fund study with Sea Grant Extension to educate boaters on anti-fouling paint issues |
| California Coastal Sediment Master Plan | Partner in multiagency effort to develop strategies to achieve best balance of coastal infrastructure protection, beach recreational benefit, and environmental protection |
| Economic Impact of Sea Level Rise | Assess economic impact of the effects of sea level rise on California beaches |
| Grants to Local Public Entities | Plan, design and restore public beaches for protection of habitat, shorelines and statewide recreational and economic benefits by mitigating the loss of natural sand supply due to watershed urbanization and damming of rivers |

During this biennium:

- DBW produced informational inserts on the topics of quagga/zebra mussels and carbon monoxide safety for inclusion in boat registration materials distributed by the Department of Motor Vehicles.

- DBW conducted water hyacinth control across 3,000 acres of the Sacramento/ San Joaquin Delta between April 1 and October 14, 2005.
- DBW conducted *Egeria densa* control across over 600 acres of the Sacramento/ San Joaquin Delta each year between April 1 and October 15.
- DBW continued its participation in climate change research that provides analysis of long-term trends.
- DBW continued its support for a shore station program operated by Scripps Institution of Oceanography. The program is to gather, archive and publish temperature and salinity data.
- DBW continued its support of scanning, digitization and analysis of seismographic data related to long term wave information.
- DBW continued its work on the federally-funded Southern California Beach Processes Study, focusing on the San Diego Region from Dana Point to the Mexican border.
- DBW continued its twice per year video over-flights to show changes in shoreline positions along the southern California coast.
- DBW continued its research on boat-bottom paints that provide protection against invasive species and the trade-off between toxic and non-toxic alternatives.
- DBW continued its work on the Coastal Sediment Master Plan, to identify and prioritize management needs around coast erosion, recreational opportunities, dredging and sediment flow through coastal watersheds.

This report can be found online at <http://www.dbw.ca.gov>. A hard copy can be ordered by contacting DBW at pubinfo@dbw.ca.gov or (916) 263-1331.